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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,736	03/04/2004	Wen-Pao Tseng	3223-49	5318

7590 12/13/2005

TROXELL LAW OFFICE PLLC
Suite 1404
5205 Leesburg Pike
Falls Church, VA 22041

EXAMINER

DOAN, JENNIFER

ART UNIT	PAPER NUMBER
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2874

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/791,736

Applicant(s)

TSENG, WEN-PAO

Examiner

Jennifer Doan

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings, filed on 03/04/04, are accepted.

Specification

2. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abileah (U.S. Patent 5,479,275) in view of Bernard (U.S. Patent 5,986,728).

With respect to claim 1, Abileah (figure 11) discloses an improved structure of a light wave-guide device essentially comprised of a backlight module including a reflector mask (74), multiple light sources (70), multiple optical films (65) and a protector sheet

(63) arranged in sequence from inside out; wherein, each light source being made of stripe or U-shape or any other continuously curved light tube (figure 6), and disposed at a proper spacing at where between the reflector mask (74) and a lower diffuser sheet (61) is characterized by that the backlight module being provided with at least one optical wave-guide device (as an integral lens); light from each light source passing through the optical wave-guide device being properly refracted and reflected to evenly diffuse through the lower diffuser sheet (61) to eliminate the dark band formed between abutted light sources (70); spacing between light source and the diffuser plate being reduced; and the thickness of the backlight module being also reduced in meeting compact requirements (see figure 11).

Abileah does not explicitly disclose multiple recesses being provided to the optical wave-guide device to accommodate respective light source.

However, Bernard (figure 3) teaches multiple recesses being provided to the optical wave-guide device (30, 30a) to accommodate respective light source. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the optical waveguide device of Abileah to have multiple recesses to accommodate the respective light source (accordance with the teaching of Bernard) for the purpose of concentrating light at its center to effectively transmitting the light signals.

With respect to claims 2 and 3, Abileah (figure 11) discloses an improved structure of a light wave-guide device, wherein the optical wave-guide device (65) is

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related to a structure in plate shape and at least one surface of the optical wave-guide device is embossed.

With respect to claim 4, Abileah (figure 11) discloses an improved structure of a light wave-guide device, wherein the surface of the optical wave-guide device (65) facing the lower diffuser sheet (61) or the surface of the recess of the optical wave-guide device (65) or the surface of the optical wave-guide device (65) facing away from the lower diffuser locally or entirely embossed.

With respect to claim 5, Abileah (figure 11) discloses an improved structure of a light wave-guide device, wherein the embossment is made at least one straight line or curve or the combination of both in a form of V-, U-, or C-shaped cut.

With respect to claim 6, Abileah (figure 11) discloses an improved structure of a light wave-guide device, wherein at least one surface of the optical wave-guide device is locally or entirely treated with ink, matted, or printed, or distributed with concave and convex points in either round, rectangular, diamond or polygonal form.

With respect to claims 7-12, Abileah discloses Abileah (figure 11) discloses an improved structure of a light wave-guide device, the optical wave-guide device is in the structure of a transparent sheet, a white sheet a mat sheet; wherein the optical wave-guide device is made of Polycarbonate (PC), or Polymethyl methacrylate (PMMA), or Polyethylene Terephthalate (PET) in to a transparent stick structure or in to a white stick structure or Polymethyl methacrylate (PMMA) added with diffusion agent into a matted stick structure (column 11, lines 14-19).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Doan whose telephone number is (571) 272-2346. The examiner can normally be reached on Monday to Thursday from 6:00 am to 3:30 pm, second Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jennifer Doan

Patent examiner

December 7, 2005